

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

HONORABLE PAUL L. MALONEY

v.

Case No. 1:09-cr-242

ERIC MICHAEL PENA,

Defendant.

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ORDER GRANTING ENDS OF JUSTICE CONTINUANCE

Before the Court is the Defendant Eric Michael Pena's motion for ends of justice continuance of the final pretrial presently scheduled for December 21, 2009 and trial scheduled for January 5, 2010. The basis of the defendant's motion is that additional time is necessary in order to complete the terms of a plea agreement or in the event a plea agreement cannot be completed, to prepare for trial. The government does not oppose the motion.

The Court finds that the ends of justice served by the granting of a continuance outweighs the best interest of the public and the defendant in a speedy trial.

NOW THEREFORE, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), an ends of justice continuance is hereby entered. The final pretrial conference is rescheduled to **February 16, 2010 at 11:00 a.m., 114 Federal Building, Kalamazoo, Michigan.** Jury trial is rescheduled to **February 23, 2010 at 8:45 a.m., 485 Federal Building, Grand Rapids, Michigan.**

Dated: December 16, 2009

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge